

REMARKS

This application has been reviewed in light of the Office Action dated April 9, 2004. Claims 1-5, 8 and 9 are presented for examination (of which Claims 1, 5, 8 and 9 are in independent form), and have been amended to define Applicant's invention. Claims 6, 7, 10 and 11 have been cancelled, without prejudice or disclaimer of subject matter, and will not be mentioned further.

Initially, Applicant notes that a Claim To Priority and a certified copy of the priority document for this application were submitted on October 19, 2001, as evidenced by a returned receipt postcard bearing the stamp of the U.S. Patent and Trademark Office, a copy of which is attached hereto. Applicant respectfully requests acknowledgment of the claim for foreign priority and the receipt of the certified copy, in the Examiner's next paper.

Independent Claim 1 is directed to a communication apparatus that has a connecting unit adapted to connect to a communication line and capable of radio communication with a radio terminal not via the communication line. Among other important features of the apparatus of Claim 1 is a selecting unit, that selects a first communication method performed by a first radio communication unit or a second communication method performed by a second radio communication unit, based on whether the communication line is used for communication by the radio terminal or not.

Toyoda relates to an image communication apparatus comprising a removable facsimile main body and a facsimile external device. In *Toyoda*, the facsimile main body (see Fig. 1) has a mobile communication unit 111 connected to a first NCU 19. The mobile communication unit 111, however, is a line for mobile communication means (see col. 4, lines 37

and 38). Moreover, the facsimile main body 41 communicates with the facsimile external device 42 not by radio communication but rather by line communication through contacts 113 and 214. Applicant submits that nothing in *Toyoda* would teach or suggest either the mentioned feature of Claim 1, or even that the facsimile main body 41 or the facsimile external device has a radio communication function.

The Examiner alleges that a first console 14 of the facsimile main body and a second console 28 of the facsimile external device in the *Toyoda* system correspond to the first and second radio communication unit of Claim 1, respectively. Applicant respectfully traverses the Examiner's opinion. The first and second console 14 and 28 are operation consoles, consist of buttons and keys, and do not have any radio communication function. Accordingly, Claim 1 is believed to be clearly allowable over *Toyoda* for at least these reasons.

Palmer relates to a multi-mode radio frequency network system capable of using narrowband and wideband frequency ranges. Similar to *Toyoda*, Applicant submits that nothing has been found or pointed out in *Palmer* that would disclose or suggest selecting between (1) a first communication method performed by a first radio communication unit and (2) a second communication method performed by a second radio communication unit, based on whether a communication line is used for communication by a radio terminal or not, as recited in Claim 1.

The Examiner alleges that wired medium 2 and/or nodes 3 of Fig. 1 of *Palmer* role as a means for a radio communication. Applicant does not agree, and consider that it would be strange for a *radio* communication to be performed by a *wired* medium or by such nodes as

the *Palmer* ones. For at least these reasons, Applicant urges strongly that Claim 1 also is clearly allowable over *Palmer*.

Independent Claim 8 is a method claim corresponding to apparatus Claim 1, and is deemed allowable over each of those two patents for the reasons discussed above with regard to Claim 1.

Independent Claim 5 is directed to a communication apparatus comprising a main body having a connecting unit adapted to connect to a communication line, and a scanner having an image reading function and removable from main body . The claimed apparatus also comprises a detecting unit adapted to detect when the scanner is connected to the main body after the scanner has read an image, and a display unit adapted to display a user interface to select whether to print the read image, or to communicate the image to the communication line, or to communicate the image to a radio communication device. Also provided in the apparatus of Claim 5 is an execution unit adapted to execute a process that is selected via the user interface.

Among other important features of Claim 5 is the detecting unit, that detects when the scanner is connected to the main body after the scanner has read an image, displaying the user interface to make the mentioned selection, and executing the selected process.

For the reasons discussed above with regard to Claim 1, Applicant does not agree with the reading of *Toyoda* set forth in the Office Action, and believes that Claim 5 is believed clearly allowable over that patent if correctly understood.

Izumi relates to an image communication system capable of connecting a camera and printing or facsimile-transmitting an image sensed by the camera, in response to an

operation of the connected camera. Applicant submits, however, that even if *Izumi* is deemed to teach all that it is cited for, such would not supply what is missing from *Toyoda* as prior art against Claim 5. The proposed combination of those patents (even assuming that combination would be a proper one) would not teach or suggest even detecting when the scanner is connected to the main body after the scanner has read an image. Still less would that combination teach or suggest any processes being activated responsive to such detection (in claim 5, displaying the user interface for selecting a process to be performed on the read image and executing the selected process). For these reasons, it is deemed clear that Claim 5 is allowable over *Toyoda* and *Izumi*.

Independent Claim 9 is a method claim corresponding to apparatus Claim 5, and is deemed allowable for at least the reasons just discussed in connection with Claim 5.

The other rejected claims in this application depend from independent Claim 1, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "L.P. Diana", is written over a horizontal line.

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